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STATE OF HAWAII  
STATE PUBLIC CHARTER SCHOOL COMMISSION  
(‘AHA KULA HO‘ĀMANA)

**GENERAL BUSINESS MEETING**

Minutes of the General Business Meeting on Thursday, March 9, 2017

Queen Liliuokalani Building  
1390 Miller Street, Room 404  
Honolulu, HI 96813

PRESENT

Jill Baldemor  
Mitch D’Olier  
Sylvia Hussey  
John Kim  
Ernest Nishizaki (Vice Chairperson)  
Catherine Payne (Chairperson)  
Karen Street  
Roger Takabayashi

EXCUSED

Kalehua Krug

ALSO PRESENT

Sione Thompson, Executive Director  
Beth Bulgeron, Academic Performance Manager  
Danny Vasconcellos, Organizational Performance Manager

I. Call to Order

Commission Chair Catherine Payne called the meeting to order at 10:30 a.m.

II. Approval of General Business Meeting Minutes

A. February 9, 2017

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**ACTION: Motion to approve the General Business Meeting Minutes of February 9, 2017 (Takabayashi/D'Olier). The motion passed unanimously.**

### III. Administration & Operations Committee Report

Commissioner Roger Takabayashi reported on the Administration & Operations Committee which included an update on the Commission's strategic plan and presentation by Ted Dintersmith.

### IV. Performance & Accountability Committee Report

#### A. Presentation and Action on Academic Performance Framework for State Public Charter School Contract, effective July 1, 2017

Commission Chair Payne reported on the Performance & Accountability Committee which included updates on monthly financial monitoring for Ka Waihona o ka Na'auao Public Charter School's December 2016 monthly financial report; Ka'u Learning Academy's December 2016 monthly financial report; Kona Pacific Public Charter School's December 2016 monthly financial report; and Na Wai Ola Public Charter School's December 2016 monthly financial report. Commission Chair Payne shared the Committee also received a presentation on the proposed Academic Performance Framework and recommended to approve to the Commission.

Academic Performance Manager presented the proposed Academic Performance Framework. She provided background on the stakeholder collaborations through Commission staff and school meetings, individual conversations with school leaders, and feedback received by charter school stakeholders on the proposed framework via online form.

She shared the framework consists of two sections: student academic outcomes and value added. Within the student academic outcome section are measures that are required by HRS Section 302D-16: student academic proficiency, student academic growth, achievement gaps in proficiency between major subgroups, and college and career readiness. The value added section is an opportunity for schools to capture they are doing that add value to the school community or the education system at large. She shared within the student academic outcomes schools will set annual target ranges that are developed by looking at historical data, data from geographic complex and all schools statewide. She stated each year schools will report on the process in each indicator whether the school has met, exceeded, or did not meet the target and report on the implementation on the value added section. She noted that the Performance & Accountability Committee suggested schools to have a minimum of one value added goal which has been changed in the submittal.

Commission Chair Payne asked if the value added section is separate from the school-specific measures. Bulgeron confirmed and clarified that school-specific measures can be captured in the student academic outcomes.

Commissioner Sylvia Hussey asked if the Board of Education's (BOE) Legislative report feedback

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is addressed in the framework. Bulgeron responded that the BOE's feedback on school-specific measures recommended the Commission to create options or a menu for schools to choose from which goes against the purpose of school-specific measures. She shared schools are encouraged to create school-specific measures to be included as an optional measure in the student academic outcomes section. Commissioners discussed the BOE's feedback in providing a menu of school-specific measures and helping them understand what school-specific measures are. Bulgeron shared the proposed academic framework allows schools to use an off the shelf school-specific measure or a culturally specific measure. Commissioner Jill Baldemor responded that the framework addresses the spirit of the school-specific measures and the intent to allow schools to focus on what the schools choose in either a student academic outcome or a value added piece. Commissioner Mitch D'Olier discussed using WASC goals. He also asked for further information on the achievement gap measure and smarter balance. Bulgeron responded that the DOE has changed it and does not calculate the rate the same way.

Commissioner D'Olier asked if the Commission has the flexibility if the Commission did not want to use smarter balance or a different exam. Bulgeron responded that the Commission must capture proficiency or achievement but there are some indicators with some flexibility. Commissioners discussed the state accountability system and reporting for Strive HI. Bulgeron responded that the proposed framework has enough flexibility to capture measures that are required by Strive HI or ESSA.

The Commission discussed evaluating charter schools performance with their annual targets when comparing to complex and/or statewide scores, renewal for charter schools, and setting closure protocols with standards which included how the performance of a school compares to the complex, how a school compares to similar demographics. Bulgeron shared the Commission will also be approving the school's individual targets. The Commission and Bulgeron discussed setting individual targets with the schools.

Commission Chair Payne called for public testimony. No written testimony provided.

Mahina Duarte, Co-director, Kanu o ka 'Āina New Century Public Charter School shared support of the proposed Academic Performance Framework presented. She shared appreciation of the opportunity for the value added component, the process which has been more visible and open, and the protection of autonomy and flexibility in setting targets.

Commission Chair Payne thanked the staff for the work. Commissioner Nishizaki asked if a school could have a series of value added that happens one year and would require adding subsequent years. Bulgeron responded yes. Commissioner Nishizaki shared it should be clearly stated.

**ACTION: Motion to approve the Academic Performance Framework, as provided in this submittal dated 3/7/2017 (Takabayashi/D'Olier). The motion passed unanimously.**

Commission Chair Payne moved up agenda item VI. Action on Amendment to Exhibit A, Educational Program of the Charter Contract for Ka'u Learning Academy.

- VI. Action on Amendment to Exhibit A, Educational Program of the Charter Contract for Ka'u

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### Learning Academy

Organizational Performance Manager Danny Vasconcellos shared school representatives are on the phone to provide details on the requested amendment.

Kathryn Tydlacka-McCown, Principal, Ka'u Learning Academy shared the request submitted is to expand to the 8<sup>th</sup> grade. She shared proficiency statistics and that the seventh grade students have made gains and hope to continue next year. She shared the school will not be adding enrollment. She shared the school has 109 enrolled and the number would remain the same the next year but with smaller class sizes. She stated the school has 39 students in the blended learning program who originally were homeschooled students. She discussed the old facility plans which included a cafeteria which reduced the number of occupants. She shared the school has new plans drawn up and has a contractor who has been communicating with the county department. She shared the new plans include new classrooms. She discussed the ADA bathrooms and that the school has received a permit to build. She shared that 116 will be the schools occupancy limit but the school will only have 109 students since some are blended learning students.

Commission Chair Payne asked that the cost of the bathrooms being constructed was taken out from the previous budget. Tydlacka-McCown responded that the cost and permit has been completed for the bathroom, however not the payment for the contractor who is a board member. Commission Chair Payne asked how the new classrooms are being paid by. Tydlacka-McCown responded from the \$70,000 carryover.

Commissioner John Kim recapped his understanding that the blended learning students are not expected to be on campus and asked for the school's definition of blended learning as it appears to be a homeschool program with school staff support. Tydlacka-McCown responded students are required to be on campus five hours a week and that the school is proposing to have classes on Monday from 3:15 to 8:15 p.m. and Friday from 1 p.m. to 6 p.m.

Commission Chair Payne asked how the school plans to staff the extra hours. Tydlacka-McCown shared it will be \$25 an hour, roughly \$15,000 to \$20,000 extra. Commission Chair Payne suggested the school contact HSTA on the proposed plan. Commissioner Takabayashi asked if the school has a supplemental contract for the proposed plan. Tydlacka-McCown responded no but has a good working relationship with the HSTA representative. Commissioner Takabayashi asked if the school has a current supplemental contract and Tydlacka-McCown responded no. She shared last year the school had an after school program which teachers participated in. Commission Takabayashi stated that is out of the working normal hours which would not require a supplemental agreement but if it is part of your program with modified hours. The Commission and Tydlacka-McCown discussed the previous tutoring program and the proposed plan further, the differences between the program and proposal, and that there may be an issue of the pay if it differs with the daily rate for an individual verses supplemental pay for PTT rate.

Commissioner Nishizaki asked for the full document for which the various signatures are a part of as the original document was not attached and he is unable to determine what the document was representing as Exhibit A. Tydlacka-McCown shared she will provide the full document. She discussed the permit for occupancy, permitting process, and ADA bathrooms. Tydlacka-

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McCown shared the first certificate of occupancy states 89. Commissioner Nishizaki requested that the school submit that document for review. Commissioner Nishizaki asked what the schedule for the building plans is. Tydlacka-McCown responded that the plans are paid for, that the school has not been able to do anything on the HPM garage without the completion of the ADA bathrooms which are currently being built and will take a few weeks. She shared the permits are being filed. Joe Iacuzzo, Managing Director of Ka'u Learning Academy, shared that the buildings are pre-permitted by HPM. Tydlacka-McCown discussed the challenges with plumbing for the bathrooms. Commissioner D'Olier asked that the school provide a letter from HPM regarding the pre-permitted building.

Commissioner Hussey recapped her understanding of the projected enrollment plan and asked for clarification on the matriculation of the projected enrollment plan. Tydlacka-McCown responded that the school is not taking any more students and that the school anticipates students leaving. She shared the numbers provided were done previously and may differ. Commissioner Hussey asked that the school provide the current information to Commission staff.

Commissioner Takabayashi asked what the rental fee is for the property. Tydlacka-McCown responded \$9,000 a year. Commissioner Takabayashi stated the cash flow projection document provided by the school indicates \$7,000 for the year. Iacuzzo responded that the school paid \$9,000 due to carry over. He stated the school pays \$6,000 a year plus insurance which comes up to \$6,700. Tydlacka-McCown shared the opening year was \$6,000 and the school asked to carry over \$3,000.

Commission Chair Payne asked Commission staff to come up for any further comment or questions.

Vasconcellos shared Commission staff had questions that were provided in the submittal and some have been answered but still need additional clarification on questions from the Commission's discussion which included clarification on the blended learning program. Commission Chair Payne suggested that Commission staff follow-up with the school with a site visit. She also noted that the school's website includes a virtual program.

Commissioner Kim asked if there is a conflict of a board member who is also the contractor. Vasconcellos shared that Commission staff will look further into that.

Thompson stated that the request to amend the Educational Plan has been on the agenda for more than two months and that staff has asked consistently for additional information from the school. He suggested putting a timeframe on the request as most schools are in the enrollment process.

Commission Chair Payne shared the Commission hoped to make a decision today but that there seems to be questions for the school and would like Commission staff to visit. She shared Commission will put the item on the agenda at the next General Business Meeting, March 23, 2017.

Financial Performance Specialist Scott Hall informed the Commission that the school has been

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on financial monitoring and has had a decent standing but that the capital improvement plan would set the school back and would not meet the financial performance framework for fiscal year 2016-2017. He shared it would be not be advisable for the school to take on a capital improvement plan if it puts the school in a 'does not meet' position according to the charter contract. Tydlacka-McCown responded that the carry-over of \$50,000 in the fiscal year 2017-18 budget is after paying the building expenses and the school anticipates to end the year with \$150,000. She shared the building costs \$80,000 and reiterated that \$50,000 is a carry over and noted that the school is in good financial shape. Hall responded that the end of the fiscal year the school would have \$70,000 which equates to 34 days' cash on hand with an upward trend. If the school has a carryover of \$50,000 that would equate to 20 days' cash on hand and does not meet the financial framework.

Tydlacka-McCown recapped that the school's current certificate of occupancy, proposed school plan, and asked for a vote of the Commission. Commission Chair Payne stated the Commission will defer the item and will take it up at the next General Business Meeting.

Commissioner D'Olier recapped the information which included the school does not have a supplemental agreement, no licensed teachers for the middle school grade division, and still need to provide the documentation for the certificate of occupancy.

Tydlacka-McCown responded that in her experience schools do not know the staffing for the following year and that it is the nature of a hard to fill area.

Commission Chair Payne returned to agenda item V. Update and Action on State Public Charter School Commission Strategic Plan

### V. Update and Action on State Public Charter School Commission Strategic Plan

Thompson thanked Commissioner Hussey on her work with the mind map for the strategic plan.

Commissioner Hussey shared she approached Kamehameha School and Office of Hawaiian Affairs for pro bono support for a project manager which included related travel costs and a facilitator for a period of April 2017-September 2017. She shared both organizations have not responded with a decision yet.

Thompson shared Commission staff along with some Commissioners will continue to search on potential facilitators or support and update at the March 23<sup>rd</sup> meeting.

### VI. Update on Commission Legislative Advocacy for 2017 Legislative Session

Thompson provided an update on the Commission's Legislative Advocacy for 2017 Legislative session which included information on HB33 (facilities funding), HB336/SB197 (start-up grants), HB336 (per-pupil study), and HB500 (pre-k funding).

### VII. Update on Facilities Working Group Created by Act 234, Session Laws of Hawaii 2015

Commission Chair Payne provided an update on the Facilities Working Group Created by Act

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234, Session Laws of Hawaii 2015. She shared the meeting included representatives of Budget & Finance, Department of Education, Department of Accounting and General Services, and two experts in real estate and finance. She discussed the next steps which included sending a letter to state agencies on facility vacancies. She shared the working group is scheduled to meet again.

### VIII. Adjournment

Commission Chair Payne adjourned the meeting at 11:51 a.m.